



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,780	11/08/2001	Jane Dashevsky	INTL-0687-US (P13046)	1349
7590	07/18/2005			EXAMINER GESESSE, TILAHUN
Timothy N. Trop TROP, PRUNER & HU, P.C. STE 100 8554 KATY FWY HOUSTON, TX 77024-1805			ART UNIT 2684	PAPER NUMBER
DATE MAILED: 07/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/005,780	DASHEVSKY ET AL.	
	Examiner	Art Unit	
	Tilahun B. Gesessse	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 February 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to applicant's argument filed February 28,2005 in which claims 1-15 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 through 15 are rejected under 35 U.S.C. 102(e) as being anticipated by.

Claim 1, Travostino discloses a method for handling the system-wide state of a wireless device (102) through the host controller interface firmware (204) (page 4, para 0031-0034), and handling the state each link with the device through the link manager firmware (page 4, para 0031-0034 and figure 4).

Claim 2, Travostino discloses initiating communications with connection and link management (page 4, para 0031-0034 figure 3).

Claim 3, Travostino discloses establishing a connection between the device and an end point (figurer 3).

Claim 4, Travostino discloses handling base band handshaking through the host controller interface firmware (226 and 204) (page 4, para 0031-0034 figure 4).

Claim 5, Travostino discloses handling logical link connection through the link manager firmware (210 and 232) (page 4, para 0031-0034 figure 4).

Claim 6, Travostino discloses an article comprising a medium storing instructions that enable a processor based system to (host computer 108 of figure 3) handle the system-wide state of a wireless device through the host controller interface firmware (HCI of 226 and 204), page 4, para 0031-0034 and figure 4) and handle the state of each link with the device 6 through the link manager firmware (LMP 210 and 232 , page 4 para 0031-0034 and figure 4).

Claim 7, Travostino discloses signaling instructions that enable the processor-based system to initiate communications with connection and link management (page 7, para 0063-0065).

Claim 8, Travostino discloses storing instructions that enable the processor-based system to establish a connection between the device and an end point. Claim 9, Travostino discloses storing instructions that enable the processor- based system to handle base-band handshaking through the host controller interface firmware (page 4 para 0031-0034 and figures 3-4).

Claim 10, Travostino discloses storing instructions that enable the processor-based system to handle logical link connection through the link manager firmware (page 7 para 0063-0065).

Claim 11, Travostino discloses a wireless system (figure 3) a processor (host computer 108 of figure 3) and a storage coupled to the processor storing instructions that enable the processor to (page 7, para 0063-0065) handle the system-wide state of

the system through the host controller interface firmware (page 4 para 0031-0034) and handle the state each link with the system through the link manager firmware (page 4 para 0031-0034 and figure 4).

Claim 12, Travostino discloses the storage stores instructions that enable the processor to initiate communications with connection and link management (page 7 para 0063 and figure 3).

Claims I3-I4,-travostino discloses storage stores instructions that enable the processor to establish a connection between the system and a remote end point. said storage stores instructions that enable the processor to handle base band handshaking through the host controller interface firmware (figure 4 and page 7 para 0063-0065).

Claim 15, Travostino discloses the storage stores instructions that enable the processor to handle logical link connection through the link manager firmware (page' 4 para 0031-0034 and figure 4).

Response to Arguments

4. On page 2, first paragraph of applicant's response to the previous office action, regarding to the objection of drawing, applicant's explanation and request for reconsideration, is acknowledged.

Applicant's arguments filed February 28, 2005 have been fully considered but they are not persuasive.

On page 2 , second and third paragraph applicant's response to the office action, applicant argued that "the prior art has not discussion of host controller interface firmware or handling of the state the system wide state of the device in such a way. But

more importantly , there is no handling of the state of each link of the wireless device through the link manager firmware.” And finally , they’re no indication that the link manager handles the sate of each link.

The examiner disagrees. Travostino teaches terminal equipment device 102 accessing the host computer 108 via the AP device using a wireless protocol to communicate with the AP device 106 over a wireless medium 104 (e.g., RF through air, infrared through air), so TE device 102, includes, host control interface (HCI) firmware 204 for sending and receiving protocol messages over the wireless medium 104, HCI driver logic 206, logical link control and adaptation protocol logic 208 for providing connection , see page 1, para 0006-0009 and figures 1-4). Travostino teaches handling the system wide by interfacing with wireless medium (104) of figure 3 that teaches handling the system wide state”.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-2738300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tilahun B Gesesse 6/27/05
TILAHUN GESESSE
PRIMARY EXAMINER